

## SUBMISSION OF MISSING PARTS OF APPLICATION AND PETITION

Assistant Commissioner of Patents Washington, D.C. 20231

## SIR:

In response to the Notice to File Missing Parts dated October 30, 2001, the undersigned submits an executed Oath and Declaration as executed by the inventor(s) on December 17, 2001. Also enclosed is a Preliminary Amendment and a Submission of Corrected Drawings as required by the Notice to File Missing Parts.

With respect to the allegedly omitted "Figure 4F", it is submitted that all relevant figures were present in the application papers as filed. The original reference to "Figure 4F" was incorrect.

To the extent necessary, applicants hereby Petition the Director to continue to grant the filing date of October 4, 2001, as all items necessary for the application were present upon filing. No fee is believed to be required. However, the Commissioner is authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 19-3140.

A check in the amount of \$130.00 to cover the required fee of this submission is enclosed. Applicants also request an extension of time to January 30, 2002, for filing this response. A check in the amount of \$110.00 to cover the one-month extension fee is enclosed. The Commissioner is authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed for that purpose.

Respectfully submitted,

Hawel K (Reg. No. 32.919) David R. Metzger SONNENSCHEIN NATH & ROSENTHAL P.O. Box #061080 Wacker Drive Station - Sears Tower Chicago, Illinois 60606-1080

Telephone 312/876-8000 Customer #26263 Attorneys for Applicants

## **CERTIFICATE OF MAILING**

I hereby certify that a true copy of the foregoing Submission of Missing Parts was forwarded to the United States Patent Office via U.S. First Class mail on January 29, 2002.

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		(FEB 1 4 2002	RK OFFICE	XX	
	COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 2023I WWW.uspto.gov				
	APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER	
	09/970,593	10/04/2001	Akira Yoshizawa	09792909-5237	
•	26263 SONNENSCHEIN NATH & ROSENTHAL P.O. BOX 061080 WACKER DRIVE STATION CHICAGO, IL 60606-1080		CONFIRMATION NO. 1195 FORMALITIES LETTER		
				Date Mailed: 10/30/2001	
•		LE MISSING PARTS O			
05/57/500	2 DABRAHA1 00000083 09970593		37 CFR 1.53(b)		
01 FC:1弭 ①	130.00		e Granted		
	An application number and fi however, are missing. Applic required items and pay any fi filing a petition accompanied	ant is given <b>TWO MONTHS</b> ees required below to avoid	from the date of this Notice abandonment. Extensions	within which to file all of time may be obtained by	
æ	<ul> <li>The oath or declaration</li> </ul>	-			
	The application is informal si	nce it does not comply with t	he regulations for the reaso	on(s) indicated below.	
The required item(s) identified below must be timely submitted to avoid abandonment:				nt:	
<ul> <li>Substitute drawings in compliance with 37 CFR 1.84 because:</li> </ul>					
	Arabic n	an one figure is present and umeral (1, 2, etc.) or an Aral t (A, B, etc.)(see 37 CFR 1.8	bic numeral and capital lette		

The following item(s) appear to have been **omitted** from the application:

• Figure(s) 4F described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (*37 CFR 1.17(h)*)) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in





the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. THIS <u>TWO MONTH</u> PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b). In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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	A copy of this notice <u>MUST</u> be returned with the reply.
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æ	Customer Service Center
Ĩ	Initial Patent Examination Division (703) 308-1202
ī	PART 2 - COPY TO BE RETURNED WITH RESPONSE
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